

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

# License for Diversion and Use of Water

LICENSE No. **375**

PERMIT No. **1313**

APPLICATION No. **2373**

This is to certify, That **W. L. Macchlen, Trustee for Polique Canyon Association** of **213 So. Broadway, Los Angeles, California** has made proof to the satisfaction of the Division of Water Rights of California of a right to the use of the waters of **Polique Canyon** in **San Bernardino County,** tributary of **Big Bear Lake** for the purpose of **domestic use**

under Permit No. **1313** of the Division of Water Rights and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Rights and the terms of the said permit; that the priority of the right herein confirmed dates from **June 6th,**

**1921;** that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **nineteen thousandths (0.019) cubic foot per second from January 1st to December 31st of each year.**

The point of diversion of such water is located from the quarter corner on the south line of **Section 7, T 2 N, R 1 E, S. B. M.;** thence west ten hundred sixty-eight (1068) feet; thence north seventeen degrees, thirty minutes west (N 17°30' W) thirteen hundred fifty-four (1354) feet to point of diversion, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 7.

Amended by order of **8-31-25**  
**mec**

A description of the lands or the place where such water is put to beneficial use is as follows: **Nineteen (19) houses within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 7, T 2 N, R 1 E, S. B. M., as per map filed with the Division of Water Rights June 6th, 1921.**

by order of **1-19-35**  
**2**

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in section 20 of Chapter 586, Statutes 1913, which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accept such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and providing, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness the signature of the Chief of the Division of Water Rights, Department of Public Works of the State of California, and the seal of said department  
this **29th** day of **December**, 19 **24**.

MSE:B (SEAL)

10835 2-22 250

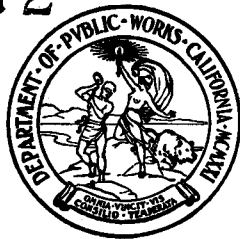
EDWARD HYATT, JR.

Chief of Division of Water Rights, Department of Public Works of the State of California

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STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

LICENSE No. **376** PERMIT No. **678** APPLICATION No. **1459**

*This is to certify, That* **Estelle I. Fraser, administratrix of the estate of Charles W. Fraser**  
of **Coulterville, Mariposa County, California** *has made proof to the satisfaction of the Division*  
of Water Rights of California of a right to the use of the waters of **North Fork of Merced River**  
in Mariposa County, tributary of **Merced River**  
for the purpose of **generating power**

**REVOKED**

under Permit No. **678** of the Division of Water Rights and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Rights and the terms of the said permit; that the priority of the right herein confirmed dates from **September 22nd,**

**1919;** that the amount of water to which such right is entitled and hereby confirmed, for the purposes *of said right is limited to the amount actually beneficially used for said purposes and shall not exceed* **thirty-nine (39) cubic feet per second from January 1st to December 31st of each year.**

*The point of diversion of such water is located* **South thirty-one degrees no minutes (31° 00') East one thousand six hundred fifty (1650) feet from the Northwest corner of Section 7, T 3 S, R 18 E, M.D.M.; being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 7.**

*A description of the lands or the place where such water is put to beneficial use is as follows:*  
**At a mill and power house located within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 7.**

*The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in section 20 of Chapter 586, Statutes 1913, which is as follows:*

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided*, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accept such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however*, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and *providing*, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and *providing*, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and *providing*, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness the signature of the Chief of the Division of Water Rights, Department of Public Works of the State of California, and the seal of said department  
this **22nd** day of **January**, **1925**.

**REVOKED**

MSE:B

(SEAL)

EDWARD HYATT, JR.

Chief of Division of Water Rights, Department of Public Works of the State of California

ORDER GRANTING CHANGE IN POINT OF DIVERSION

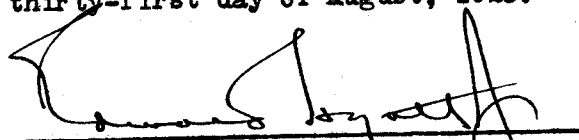
W. L. Maehtlen, trustee for Poligue Canyon Association, having established to the satisfaction of the Division of Water Rights, that change as petitioned April 9, 1925, in the point of diversion under Application Number 2379, Permit Number 1313, License Number 375, will not operate to the injury of any other appropriator or legal user of the waters of Poligue Canyon, the Division of Water Rights so finds, and permission is granted to make such change in point of diversion as follows:

FROM a point described as follows:

from the South  $1/4$  corner, Section 7, T 2 N,  
R 1 E, S.B.M., due West 1068', thence North  
17° 30' West 1354', being within the SW $1/4$  SW $1/4$   
of said section

TO the said point and an additional point described  
as due West 1068' thence North 17° 30' West 674'  
from the South  $1/4$  corner of said section being  
within the SE $1/4$  SW $1/4$  thereof.

WITNESS the signature of the Chief of the Division of Water Rights, Department of Public Works of the State of California, and the Seal of said department this thirty-first day of August, 1925.

  
(EDWARD HYATT, JR.)  
CHIEF OF DIVISION OF WATER RIGHTS



Memorandum for the President

Subject: [Illegible]

Reference is made to [Illegible]

On [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

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STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
ORDER

APPLICATION 2379

PERMIT 1313

LICENSE 375

ORDER ALLOWING CHANGE IN PLACE OF USE

Licensee having established to the satisfaction of the Division of Water Resources that the change in place of use under Application 2379, Permit 1313, License 375 for which petition was submitted on November 19, 1934, will not operate to the injury of any other legal user of water, the Division of Water Resources so finds,

IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said Application 2379, Permit 1313, License 375. to a place of use described as follows to-wit:

LOTS 1 TO 19 INCLUSIVE AND LOTS 22 TO 24 inclusive  
OF POLIQUE CANYON SPECIAL USE TRACT OF SAN BERNARDINO  
NATIONAL FOREST AND BEING WITHIN THE SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  AND  
SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SECTION 7, T2N, R1E, S.B.B.&M.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 19th day of January, 1935.

EDWARD HYATT, State Engineer

By Harold Locking

Deputy

Filed by G. G.

21 1935

E.N.B.

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STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES

ORDER

APPLICATION 1459

PERMIT 678

LICENSE 376

**REVOKED**

ORDER REVOKING LICENSE

Under date of November 13, 1930, there was received from licensee in the above entitled matter a request that his said license be revoked.

IT IS THEREFORE ORDERED that said license be and the same is hereby revoked and cancelled upon the records of the Division of Water Resources without prejudice.

WITNESS my hand and the seal of the Department of Public Works, State of California, this twenty-second day of November, 1930.

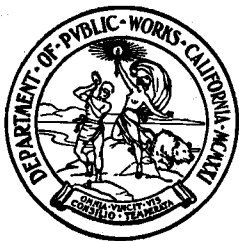
EDWARD HYATT, State Engineer

BY Harold Conkling  
Deputy

CM:MP



DEC 11 1930 E.N.B.



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

LICENSE No. **373**

PERMIT No. **505**

APPLICATION No. **1034**

This is to certify, That **Joseph Scanavino**  
of **Bridgeport, California** has made proof to the satisfaction of the Division  
of Water Rights of California of a right to the use of the waters of **three groups of springs designated**  
**"A" "B" and "C" respectively** in **Mono County** tributary of **Mono Lake Drainage Area**  
for the purpose of **irrigation**

under Permit No. **505** of the Division of Water Rights and that said right to the use of said waters has  
been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Rights  
and the terms of the said permit; that the priority of the right herein confirmed dates from **July 31st,**

**1918;** that the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **thirty-seven**  
**hundredths (0.37) cubic foot per second from about April 15th to about September**  
**15th of each season.**

The point of diversion of such water is located **at** south fifty-five degrees east (S 55° E)  
four hundred sixty (460) feet from the NW corner, "B" fifty (50) feet west and one  
hundred fifty (150) feet north of the SE corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 8, both being  
within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 8; "C" south thirty-five degrees forty-five  
minutes east (S 35° 45' E) ten hundred eighty-four (1084) feet from the west quarter  
section corner of Section 9, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 9; all in T 3 N,  
R 26 E, MDM.

A description of the lands or the place where such water is put to beneficial use is as follows:  
**30 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 8, SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 9, T 3 N, R 26 E, M.D.M.**  
as shown on map on file with Division of Water Rights.

In accordance with the provisions of Section 42 of the Water Commission Act,  
nothing herein shall be construed as confirming the right to use more than two and  
one-half (2 $\frac{1}{2}$ ) acre feet of water per acre in any one year in the irrigation of  
uncultivated areas of land not devoted to cultivated crops.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diver-  
sion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and condi-  
tions set forth in section 20 of Chapter 586, Statutes 1913, which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such  
time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water  
was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all  
of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same  
subject to such conditions as therein expressed; provided, that if, at any time after the expiration of twenty years after the granting of a license, the state,  
or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to  
purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under  
said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision  
of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined  
in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time  
after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee,  
has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the  
permittee, licensee, or heirs, successors or assigns of said permittee or licensee, has ceased to use said water to such useful or beneficial purpose

Diversions under this license, which are to be directly applied to irrigation use  
without storage, shall not exceed the rate of one cubic foot per second continuous flow  
to each eighty acres of irrigated land; provided however, that in case of rotation the  
equivalent of such continuous flow allowance for any thirty day period may be diverted  
in a shorter time if there be no interference with other vested rights.

and the state water commission to any municipality for any quantity of water in excess of the existing  
municipal needs thereof, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits  
for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality;  
and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality  
to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or  
periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire  
appropriation permitted; and provided, further, that when such municipality shall desire to use the additional water granted in its said application it may do  
so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the  
person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between  
the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and  
through eminent domain proceedings.

Witness the signature of the Chief of the Division of  
Water Rights, Department of Public Works of the  
State of California, and the seal of said department  
this **15th** day of **December**, 19 **24**.

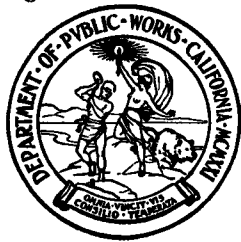
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(SEAL)

EDWARD HYATT, JR.

Chief of Division of Water Rights, Department of  
Public Works of the State of California



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

LICENSE No. **374**

PERMIT No. **506**

APPLICATION No. **1030**

**This is to certify, That Louis G. Scanavino**  
of **Bodie, Mono County, California,** *has made proof to the satisfaction of the Division*  
of Water Rights of California of a right to the use of the waters of **Red Canyon Creek and a group of**  
**springs designated as Group "A"** *tributary of* **Clear Water Creek**  
**in Mono County**  
for the purpose of **irrigation**

under Permit No. **506** of the Division of Water Rights and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Rights and the terms of the said permit; that the priority of the right herein confirmed dates from **July 27th,**

**1918;** that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed

**five-tenths (0.5) cubic foot per second from about April 15th to about September 15th of each season. Diversions under this license, which are to be directly applied to irrigation use without storage, shall not exceed the rate of one cubic foot per second continuous flow to each eighty acres of irrigated land; provided however, that in case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.**

**40 acres in the S $\frac{1}{2}$  S $\frac{1}{2}$  Section 5 and the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 8, T 3 N, R 26 E, M.D.M. as per map filed with Division of Water Rights.**

**In accordance with the provisions of Section 42 of the Water Commission Act, nothing herein shall be construed as confirming the right to use more than two and one-half (2 $\frac{1}{2}$ ) acre feet of water per acre in any one year in the irrigation of uncultivated areas of land not devoted to cultivated crops.**

*The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in section 20 of Chapter 586, Statutes 1913, which is as follows:*

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided, that if, at any time after the expiration of twenty years after the granting of a license, the state or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions of the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accept such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and *providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such temporary permits for appropriation, the state water commission may authorize such municipality and *providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction to appropriate, as may be allowed for the application to municipal uses of the entire periods from and after the date of the issuance of such permission to appropriate, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.*****

*Witness the signature of the Chief of the Division of Water Rights, Department of Public Works of the State of California, and the seal of said department*  
this **15th** day of **December**, 19**24**.

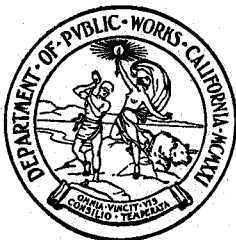
BE: B

(SEAL)

EDWARD HYATT JR.

Chief of Division of Water Rights, Department of Public Works of the State of California





369

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

LICENSE No. **373**PERMIT No. **505**APPLICATION No. **1034**

This is to certify, That **Joseph Scanavino**

of **Bridgeport, California**

has made proof to the satisfaction of the Division

of Water Rights of California of a right to the use of the waters of **three groups of springs designated "A" "B" and "C" respectively** in **Mono County** tributary of **Mono Lake Drainage Area** for the purpose of **irrigation**

under Permit No. **505** of the Division of Water Rights and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Rights and the terms of the said permit; that the priority of the right herein confirmed dates from **July 31st, 1918;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **thirty-seven hundredths (0.37) cubic foot per second** from about **April 15th** to about **September 15th** of each season.

The point of diversion of such water is located at **South fifty-five degrees east (S 55° E) four hundred sixty (460) feet from the NW corner, "B" fifty (50) feet west and one hundred fifty (150) feet north of the SE corner of the NE 1/4 SE 1/4 Section 8, both being within the NE 1/4 SE 1/4 of said Section 8; "C" south thirty-five degrees forty-five minutes east (S 35° 45' E) ten hundred eighty-four (1084) feet from the west quarter section corner of Section 9, being within the NW 1/4 SW 1/4 of said Section 9; all in T 3 N, R 26 E, M.D.M.**

A description of the lands or the place where such water is put to beneficial use is as follows: **30 acres in NE 1/4 SE 1/4 Section 8, SW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 9, T 3 N, R 26 E, M.D.M. as shown on map on file with Division of Water Rights.**

In accordance with the provisions of Section 42 of the Water Commission Act, nothing herein shall be construed as confirming the right to use more than two and one-half (2 1/2) acre feet of water per acre in any one year in the irrigation of uncultivated areas of land not devoted to cultivated crops.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

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or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accept such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through public proceedings or otherwise, by the state or any city, county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing for the temporary appropriation of the excess of such permitted appropriation permitted, the state water commission shall have the power to issue permits and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and provided, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness the signature of the Chief of the Division of  
Water Rights, Department of Public Works of the  
State of California, and the seal of said department  
this **15th** day of **December**, 19 **24**.

BK:B

10935 2-22 250

(SEAL)

EDWARD HYATT, JR.

Chief of Division of Water Rights, Department of  
Public Works of the State of California

1

1-13-58 - Name changed to Est. of Joseph Scanavino

10/20/60

RECEIVED NOTICE OF ASSIGNMENT TO

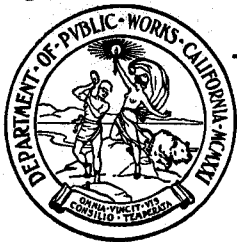
~~Joe Louis Scanavino and~~  
Steven A. Scanavino

1-6-75 Records chgd to show Joseph L.  
Scanavino as owner

5-4-81 Asgd to Juan E. + Carmel M. Arrache

L373.

2



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

LICENSE No. 574

PERMIT No. 506

APPLICATION No. 1030

This is to certify, That **Louis G. Scanavino**  
of **Bodie, Mono County, California,** has made proof to the satisfaction of the Division  
of Water Rights of California of a right to the use of the waters of **Red Canyon Creek and a group of**  
**springs designated as Group "A"**  
**in Mono County** tributary of **Clear Water Creek**  
for the purpose of **irrigation**  
under Permit No. 506 of the Division of Water Rights and that said right to the use of said waters

The points of diversion of such water <sup>are</sup> located as follows: from Red Canyon Creek at a point which bears south thirty-one degrees west (S 31° W) seven hundred ninety-five (795) feet from the northeast corner of Section 8, T 3 N, R 26 E, M.D.M., being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 8; and from springs (Group "A") at a point which bears north seventy-two degrees thirty minutes east (N 72° 30' E) four hundred ninety-five (495) feet from the south quarter section corner of Section 5, T 3 N, R 26 E, MDM, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 5.

A description of the lands or the place where such water is put to beneficial use is as follows:

40 acres in the S $\frac{1}{2}$  SE $\frac{1}{4}$  Section 5 and the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 8, T 3 N, R 26 E, M.D.M. as per map filed with Division of Water Rights.

In accordance with the provisions of Section 42 of the Water Commission Act, nothing herein shall be construed as confirming the right to use more than two and one-half (2 $\frac{1}{2}$ ) acre feet of water per acre in any one year in the irrigation of uncultivated areas of land not devoted to cultivated crops.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in section 20 of Chapter 586, Statutes 1913, which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that if, at any time after the expiration of twenty years after the granting of a license, the state or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accept such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. No application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and providing, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness the signature of the Chief of the Division of  
Water Rights, Department of Public Works of the  
State of California, and the seal of said department

this 15th day of December, 1924.

BK:B

(SEAL)

EDWARD HYATT, JR.

Chief of Division of Water Rights, Department of  
Public Works of the State of California

L374

1-13-58 - name changed to Est. of Louis G Scanavino

10/26/60 RECEIVED NOTICE OF ASSIGNMENT TO Joe Louis Scanavino's

Steven A. Scanavino  
1-6-75 Records chgd to show Joseph L  
Scanavino as owner  
5-4-81 Asg'd to Juan E. + Carmel M. Arrache